IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
	)
Tatsuya MARUYAMA et al.	)
	)
Serial No.: 09/529,096	) Group Art Unit: 1624
	)
Filed: April 7, 2000	) Examiner: S. Patel
	)
For: AMIDE DERIVATIVES OR	)
SALTS THEREOF	)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated October 27, 2000, the Examiner required restriction under 35 U.S.C. §§ 121 and 372 between the following groups of claims:

Group I   Claims 1-3, and 6-8, drawn to compounds, compositions, and methods of use for Formula I wherein Z is N and B is a six-membered ring which contains at least one nitrogen and one other heteroatom;

Group II   Claims 1-3, and 6-8, drawn to compounds, compositions, and methods of use for Formula I wherein Z is N and B is a six-membered ring which contains one nitrogen and five carbon atoms;

LAW OFFICES

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Group III Claims 1-3, and 6-8, drawn to compounds, compositions, and

methods of use for Formula I wherein Z is N and B is a five-

membered ring containing one nitrogen and zero to three additional

heteroatoms;

Group IV Claims 1-8, drawn to compounds, compositions, and methods of

use for Formula I wherein Z is CH; and

Group V Claims 1-8 drawn to compounds not included in the above Groups

I-IV.

See Office Action at 2.

The Examiner also required an election of species for the group elected. *See id*
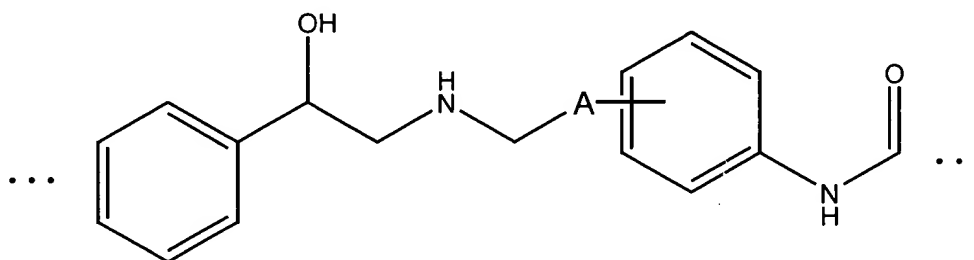
at 3.

A. Restriction Election with Traverse

Applicants provisionally elect to prosecute Group IV, claims 1-8 drawn to

compounds, compositions, and methods of use for Formula I wherein Z is CH, with

traverse. Applicants traverse on the ground that the claims would not be unduly

burdensome to search as written. *See* MPEP § 803.

The Examiner indicated that election of Group IV would require additional

restriction. *See* Office Action at 2. During a telephonic discussion with Applicants'

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representative, Jeremy Stipkala, held November 20, 2000, the Examiner kindly agreed to reconsider whether further restrictions would be required.

Applicants respectfully request the Examiner to examine the claims of Group IV without further restriction. With the provisional election made above, the scope of the required search is limited to compounds, compositions and methods of use of compounds having the following appearance:

*Note: not all substituents shown

This, Applicants respectfully contend, represents a substantial and reasonable structure for the basis of a search that is not unduly burdensome on the Examiner. Therefore, further restrictions should not be required. In making this argument, Applicants reserve the right to argue the patentability of their claimed subject matter over any cited document which may allegedly anticipate or allegedly render obvious any portion of their claimed subject matter.

B. Species Election with Traverse

Applicants also provisionally elect, with traverse, the species of Example 7 on page 37, Example 12 on page 38, and Example 41 on page 44. Applicants traverse on

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the ground that the claims as written do not define an unreasonable number of species.
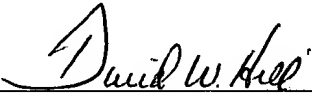
See 37 C.F.R. § 1.141(a).

CONCLUSION

Please grant any extensions of time required to enter this response and charge

any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 22, 2000   By: _David W. Hill_

David W. Hill
Reg. No. 28,220